

**Amendments to the Specification:**

Please replace the paragraph beginning on page 18, line 8, with the following rewritten paragraph:

When a ratio of the number of particles having an average circularity of 0.950 or less, in a particle diameter range of a toner circle-equivalent diameter  $\times 7/5$  or greater, exceeds ~~5~~10%, the flowability of a developer becomes worse, spots are produced upon developing and, even on an image, concentration spots at a solid part and reduction in the image concentration occur. In the previous toner, a ratio of the number of particles having an average circularity of 0.950 or less, in a particle diameter range of a toner circle-equivalent diameter  $\times 7/5$  or greater, was in the range of 15 to 20%.